

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL ACTION
	:	No. 14-323-3
v.	:	
	:	CIVIL ACTION
PARIS CHURCH	:	No. 22-1134

McHUGH, J.

February 23, 2023

MEMORANDUM

Defendant Paris Church was convicted on a series of drug offenses including conspiracy to distribute crack cocaine.¹ He now moves *pro se* under 28 U.S.C. section 2255 for posttrial relief. Mr. Church raises two claims, neither of which has merit.

First, he argues that he was unlawfully sentenced in violation *Alleyne v. United States*, 570 U.S. 99 (2012) notwithstanding the fact that a jury found specific drug quantities beyond a reasonable doubt in rendering its verdict against him. ECF 748. This argument depends upon a subsidiary premise advanced by Church: that no reasonable jury could have found the evidence presented sufficient to convict beyond a reasonable doubt, with the result that his sentence could only have been based upon evidence of lesser quality, rendering the sentence constitutionally defective. I previously rejected his argument that the evidence was insufficient, both at the time of trial when I considered the evidence against him and allowed the case to proceed to verdict, and again following trial, when I analyzed the record in a memorandum opinion and upheld the jury's verdict against him and his co-conspirators. ECF 889. There is no basis on which to revisit that conclusion.

¹ This case represents one of 3 convictions of Mr. Church all based out of the same drug-trafficking ring in Chester Pennsylvania.

Second, Mr. Church argues that the career offender enhancement was improperly applied at the time of sentencing. This argument was raised on direct appeal to the Third Circuit, which rejected it in an opinion filed January 5, 2021. *United States v. Paris Church*, Nos. 19-2062, 19-2103, & 19-2104. Consequently, this ground for relief also lacks merit.

Mr. Church's petition will be denied, and there is no basis on which to issue a certificate of appealability.

s/Gerald Austin McHugh
United States District Judge